

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	8:05CR13
vs.)	
)	ORDER
WILLIAM HARRISON,)	
)	
Defendant.)	

Defendant William Harrison (Harrison) appeared before the court on January 18, 2011, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 37). Harrison was represented by Stuart J. Dornan and the United States was represented by Assistant U.S. Attorney Martin J. Conboy, IV. Through his counsel, Harrison requested a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). The hearing was continued to January 28, 2011.

Harrison again appeared before the court on January 28, 2011, with his counsel, Stuart J. Dornan. The United States was represented by Assistant U.S. Attorney Martin J. Conboy, IV. The court received into evidence Omaha Police Department (OPD) reports (Exhibit 1 and 2) and an employment letter (Exhibit 101). The court heard the testimony of Delphine Harrison. The courts finds there is probable cause to believe the violations have occurred and Harrison has violated the conditions of his supervised release as alleged, and Harrison should be held to answer for a final dispositional hearing before Judge Laurie Smith Camp.

The government had moved for detention. It is Harrison's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, I find he has failed to do so. In light of Harrison's previous criminal record including the circumstances of the current violations, the court finds Harrison to be both a flight risk and a danger to the community. Harrison should be detained pending a dispositional hearing before Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 3:00 p.m. on February 7, 2011.** Defendant must be present in person.
2. Defendant William Harrison is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 28th day of January, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge